## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI SOUTHEASTERN DIVISION

HENRY HAMILTON, individually and on behalf of others similarly situated,	)	
Plaintiff,	)	
VS.	)	Case No. 1:14-CV-109 (CEJ)
CITY OF HAYTI, MISSOURI, GLENDA OVERBY, CALVIN RAGLAND, AMY LEEANN LANNIE, and MACO MANAGEMENT CO., INC.,	)	
Defendants.	)	

## <u>ORDER</u>

On December 15, 2014, the Court granted the motion of defendant City of Hayti to disqualify plaintiff's counsel, Jim Bruce, due to a conflict of interest arising from his representation of the mayor of defendant City of Hayti in a pending state court criminal prosecution. Because a *pro se* litigant cannot adequately serve as a representative for a purported class, the Court gave plaintiff until February 13, 2015, to retain a new attorney to represent the putative class. Plaintiff was warned that if he did not meet this deadline, the Court would dismiss the class claims without prejudice and permit plaintiff to proceed on his individual claims *pro se*.

Because plaintiff has not timely retained a new attorney to enter an appearance in the matter,

IT IS HEREBY ORDRED that plaintiff's class claims are stricken from the complaint [Doc. #1]. See Fed. R. Civ. P. 12(f).

IT IS FURTHER ORDERED that the motion of defendants City of Hayti, Missouri, Glenda Overby, and Calvin Ragland to deny certification of class action status to plaintiff [Doc. #7] is moot.

IT IS FURTHER ORDERED that plaintiff shall have until March 18, 2015, to file his responses in opposition to defendants' pending motions to dismiss [Doc. ##9, 11, 13, 18, 20].

CAROL E. JACKSON

UNITED STATES DISTRICT JUDGE

Dated this 18th day of February, 2015.